

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PORTAL INSTRUMENTS, INC.,

Plaintiff,

-v.-

LEO PHARMA A/S,

Defendant.

Case No. 22 Civ. 9156 (LGS)

**NOTICE OF MOTION TO  
DISMISS**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss, and all other prior pleadings and proceedings in this action, Defendant, by and through its counsel, will move this Court at United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, NY 10007, on a date and time to be determined by the Court, for an Order, pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing with prejudice Count I of Plaintiff's Complaint. The basis for this motion is set forth in the accompanying Memorandum of Law.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's January 9, 2023 Order (ECF No. 33), Plaintiff's opposition must be filed by February 3, 2023, and Defendant's reply must be filed by February 10, 2023.

New York, New York  
Dated: January 20, 2023

Respectfully submitted,

COVINGTON & BURLING LLP

/s/ Mark P. Gimbel

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*Attorneys for Defendant LEO Pharma A/S*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 20, 2023, the foregoing document and the accompanying Memorandum of Law were filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon all counsel registered through the ECF System.

/s/ Mark P. Gimbel